



PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/056490	
	Filing Date	1/24/2002	
	First Named Inventor	MYERSON	
	Art Unit	1654	
	Examiner Name	Russel, J.E.	
Total Number of Pages in This Submission	12	Attorney Docket Number	14690.002USB

**RECEIVED
CENTRAL FAX CENTER
MAY 14 2004
OFFICIAL**

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Copy of Petition Under 37 CFR 1.182
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	The enclosed Response is being submitted prior to the deadline of 7 August 2004 and no fees are due. If there are any questions, contact Laurence P. Colton, the attorney of record, at 770.522.9762.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Laurence P. Colton TECHNOPROP COLTON LLC	
Signature		
Date	14 May 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on			
Typed or printed name	Laurence P. Colton		
Signature		Date	14 May 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

MAY 14 2004

Patent
Customer No.: 022870
Docket No.: 14690.002USB

UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT OPERATIONS

OFFICIAL

Applicant: Myerson et al.

Application No.: 10/056490

Filing Date: 24 January 2002

Title: Method For Producing Crystal
Polymorphs and Crystal Polymorphs
Produced Thereby

Art Unit: 1654

Examiner: Russel, J.

RESPONSE AND AMENDMENT

14 May 2004

Via Fax: +1.703.872.9306

Mail Stop AF - No Fee
Commissioner of Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

The Office Action dated 7 May 2004 from examiner Jeffrey E. Russel of Art Unit 1654 has been received. The following is submitted in a good faith effort to place the application in condition for allowance.

I certify that I have transmitted this document via facsimile to the USPTO at 703.872.9306, this 14th day of May 2004.


Laurence P. Colton

STATUS

The above-captioned patent application is pending.

Claims 11 and 14-18 currently are pending in the patent application.

Claims 11 has been allowed.

Claims 14-18 have been rejected for an antecedent basis issue but would be allowable if rewritten to overcome this issue.

A claim for priority has been objected to.